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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/748,163	12/31/2003	Hiroki Mizuno	Q79225	6960

7590 12/05/2005

SUGHRUE, MION, ZINN, MACPEAK & SEAS, PLLC  
2100 Pennsylvania Avenue, N.W.  
Washington, DC 20037-3202

EXAMINER
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PERRIN, JOSEPH L

ART UNIT	PAPER NUMBER
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1746

DATE MAILED: 12/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10/748,163

EXAMINER

ART UNIT

PAPER

20051128

DATE MAILED:

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Commissioner for Patents

## Response to Amendment

1. The reply filed on 25 October 2005 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant has failed to properly elect the claims readable on elected species (c), Figures 4 and 8, in accordance with the Examiner's requirement for Election of Species. Applicant's response providing ONLY a traversal of the species election is improper without electing claims directed to other species, namely the non-election of claims 14, 15 and 17, indicated by the Examiner as non-readable on the elected species. Applicant is required to make such election EVEN IF THE ELECTION OF SPECIES IS TRAVERSED. Applicant is put on notice that further failure to properly elect the claims readable on the elected species in accordance with the Examiner's requirement for Election of Species will be considered a deliberate non-compliant response. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).
2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph L. Perrin, Ph.D. whose telephone number is (571)272-1305. The examiner can normally be reached on M-F 7:00-4:30, except alternate Fridays.
3. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael E. Barr can be reached on (571)272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
4. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jlp

Joseph L. Perrin, Ph.D.  
Primary Examiner  
Art Unit: 1746